

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 02, 2009 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason F Lindh (Reg. No. 59,090) on October 22, 2009.

3. The application has been amended as follows:

1. (Currently Amended) A system for providing program criteria comprising:
a server computer storing a plurality of tokens, each token comprises a globally unique identifier, encryption/decryption data, authentication data, program characteristics, and format data, wherein the plurality of tokens comprises a first token identifying a first segment of a predetermined audio and visual program and a second token identifying a second segment of the predetermined audio and visual program;

wherein the server computer is programmed to provide the first token and the second token [s] to a remote computer as e-mail attachments based on received selection criteria, the remote computer utilizing first token and the second token [s] to selectively combines the first program segment and the second program segment [s] based at least in part upon viewing characteristics of a user at the remote computer;

the remote computer automatically accepts the first token and the second token and automatically processes the first segment and the second segment of the predetermined audio and visual program based on the encryption/decryption data, the authentication data, program characteristics, and format data in the first token and the second token; wherein the remote computer transmits a message to a second remote computer based on the received selection criteria, the message including the first token and the second token;

wherein the remote computer stores advertisements that are selectively inserted between the first program segment and the second program segment [s], wherein the advertisements are selected based on:

demographic characteristics of the user, wherein demographic characteristics comprise:

an age of the user;
location of the user;
occupation of the user;
hobbies and interests of the user;
programming preferences of the user; and
products and services in which the user has expressed an interest in;
a time of day first program segment and the second program segment [s]
are presented to the user;
the predetermined audio and visual program; and
a genre associated with the predetermined audio and video program.

2-4. (Canceled).

5. (Currently amended) The system of claim 1, wherein the server computer is further programmed to store corresponding program data as an attribute of each token, the server computer providing corresponding program data with each token.

6. (Original) The system of claim 1, wherein a program database is stored at the server computer, the program database including the plurality of tokens identifying a plurality of at least one of audio and visual programs.

7. (Currently Amended) The system of claim 1 wherein, in response to a translation request, the server computer is programmed to translate a token into a

useable format for programming a recording system to record a predetermined at least one of an audio and visual program in a tuning space associated with the recording system.

8. (Currently Amended) The system of claim 7, wherein the server computer is further programmed to select a tuning space based on identifying data provided with the translation request.

9. (Currently Amended) The system of claim 8, wherein the server computer stores a unique identifier for each recording system registered with the server computer, each unique identifier being associated with tuning space information for each respective recording system.

10. (Original) The system of claim 9, wherein the useable format includes programming data identifying at least two of date, channel, time, and duration associated with each token provided with the translation request.

11. (Currently Amended) The system of claim 1, wherein the server computer is further programmed to store the plurality of tokens as part of a programmable database, the server computer updating the programmable database in response to receiving an update request at the server computer.

12. (Currently Amended) The system of claim 11, wherein the server computer is

further programmed to notify the remote computer in response to receiving an update request that modifies program criteria for a program represented by [the] at least one token.

13. (Currently Amended) The system of claim 12, wherein the server computer stores a different identifiable characteristic for each token ~~obtained from the server~~, the server computer employing an identifiable characteristic to notify the remote computer of changes in program criteria for a program represented by the at least one token.

14. (Currently Amended) The system of claim 13, wherein the server computer is further programmed to provide at least one of a token and updated programming data to the remote computer in response to receiving an update request that modifies program criteria for a program represented by the at least one token previously provided to the remote computer.

15 - 50. (Canceled)

51. (Currently Amended) A computer-implemented method comprising:
transmitting for display on a remote computer information about audio-visual content;
receiving from [the] a user computer a selection of the audio-visual content by a user;
constructing a plurality of tokens, each token associated with one of a plurality of

disparate segments of the audio-visual content, and each token comprises a globally unique identifier, encryption/decryption data, authentication data, program characteristics and format data, wherein the plurality of tokens comprises a first token identifying a first segment of the audio-visual content and a second token identifying a second segment of the audio-visual content;

delivering the first token and the second token as email attachments;

automatically accepting the first token and the second token and automatically processing the first segment of the audio-visual content and the second segment of the audio-visual content based on the encryption/decryption data, the authentication data, program characteristics format data in the first token and second token;

selectively combining at least two of the plurality of tokens the first segment of audio-visual content and the second segment of the audio-visual content utilizing the first token and second token based at least in part upon viewing characteristics of ~~at least one~~ the user associated with the remote computer wherein advertisements are selectively inserted between the first and second program segments, wherein the advertisements are selected based on:

demographic characteristics of the user, wherein demographic characteristics comprise:

an age of the user;

location of the user;

occupation of the user;

hobbies and interests of the user;

programming preferences of the user; and

products and services in which the user has expressed an interest in;
a time of day the first segment of the audio-visual content and the second segment of the audio-visual content ~~program segments~~ are presented to the user;
the audio-video content ~~predetermined audio and visual program~~; and
a genre associated with the audio-visual content ~~predetermined audio and video program~~; and
transmitting the ~~at least plurality of~~ first token and second token [s] and advertisements to effect recording of a program;
wherein the remote computer transmits a message to a second remote computer based on the received selection criteria, the message including the first token and second token.

52. (Currently Amended) The method of claim 51, wherein the plurality of tokens are transmitted to the remote computer.

53. (Currently Amended) The method of claim 51, wherein the plurality of tokens are transmitted to a recording system.

54. (Currently Amended) The method of claim 51, wherein the plurality of tokens are transmitted to a server.

55. (Original) The method of claim 51, wherein the step of receiving further

includes receiving information identifying the user.

56. (Original) The method of claim 51, wherein the step of receiving further includes receiving information identifying a device associated with the user.

57. (Original) The method of claim 51, wherein the step of receiving further includes receiving information identifying a local tuning space and system configuration for a device.

58. (Previously Presented) A computer-readable medium encoded with computer-executable instructions being executed by a processor for performing the steps of claim 51.

59 - 67. (Canceled)

Allowable Subject Matter

4. Claims 1, 5-14, 51-58 are allowed in view of amendments and Applicant's arguments (pages 18-20). Particularly, the prior art of record fails to disclose or fairly suggest a system or method for providing program criteria as claimed including a server computer transmitting tokens for different segments of an audio-visual program to remote computer, the tokens are transmitted as an e-mail attachment, the remote computer transmits a message to a second remote computer based on the received

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criteria, the message including the first token and the second token; each of the token comprises a globally unique identifier, encryption/decryption data, authentication data, program characteristics and format data; the remote computer automatically accepts and process and selectively combine segments of the audio-visual program based on the encryption/decryption data, the authentication data, program characteristics and format data in the first token and the second token and the remote computer stores advertisement that are selectively inserted between the first and second segments of the audio-visual program based on demographic characteristics of the user, wherein the demographic characteristics comprise: age, location, occupation, hobbies and interest, and program preferences of the user, products and services in which the user has expressed an interest in, time of day of the first and second segments....

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/
Primary Examiner, Art Unit 2424

October 22, 2009